

OAKLAND ALAMEDA COUNTY COLISEUM AUTHORITY

POLICY FOR THE DISTRIBUTION OF TICKETS

ADOPTED IN ACCORDANCE WITH FPPC REGULATION §18944.1

Background

Tickets Received by the Authority pursuant to a Contract. The Oakland Alameda County Coliseum Authority (the "Authority") is the lessor and manager of the Oakland Alameda County Coliseum Complex (the "Complex"). Pursuant to a Management Agreement between the Authority, as lessor under a Master Lease, and the City of Oakland (the "City") and the County of Alameda (the "County"), as joint lessees under the Master Lease and pursuant to license agreements (collectively, the "Licenses"), the Authority licenses the Oracle Arena (the "Arena") located at the Complex to the Golden State Warriors (the "Warriors") and the Stadium located at the Complex to the Oakland Raiders (the "Raiders"). Each of the Licenses excludes three suites used by the City, the County and the Authority and provides that the Raiders, the A's and the Warriors, respectively, will provide tickets of admission in such suites to their respective events and events for which they control the distribution of suite tickets. Additional events are occasionally held at the Coliseum Complex under the control of the Authority for which the Authority's agent provides tickets to the suites. In addition, occasionally promoters provide additional tickets to unsold events to the Authority, the City and the County for distribution.

Authority Officials. The Authority is organized pursuant to an Amended and Restated Joint Exercise of Powers Agreement (the "Agreement") between the City and the County. The Agreement establishes a Board of Commissioners as the governing body Authority and names the County Auditor as the Authority Auditor and the City Finance Director (now the Director of Finance and Budget) as the Authority's Secretary and Treasurer. In addition, the Agreement requires that the County Administrator and the City Manager (now City Administrator) provide administrative support to the Authority. The Agreement requires that the City Attorney and the County Counsel act jointly as the legal advisor to the Commissioners. The Authority, under its power to employ or engage other officers, also appoints an Executive Director. For purposes of this policy, the Commissioners, the Auditor, the Secretary/Treasury, the Executive Director, the City Administrator, the County Administrator, the County Counsel and the City Attorney are considered "Authority officials."

FPPC Regulations. Generally, the California Fair Political Practices defines a gift as anything received without equivalent remuneration. Public officials are required to file annually Statement of Economic Interests reporting all gifts over an annual limit. There are exceptions to this general rule, some promulgated by regulation of the Fair Political Practices Commission. Section 18944.1 of the Commission's regulations provides certain exceptions to the rule regarding the receipt of tickets or passes for admission to certain events and entertainment. This section requires that the Authority adopt a policy regarding the distribution of tickets to Authority officials. The rule also requires that the Authority post a form listing the recipients of tickets distributed by the Authority within 30 days of the date of distribution.

Public Purpose of the Authority is the Operation of the Coliseum Complex.

Under an Amended Management Agreement, dated as of July 31, 1996 (the "Management Agreement"), among the City of Oakland (the "City"), the County of Alameda (the "County") and the Oakland Alameda County Coliseum Authority (the "Authority"), the Authority contracts with the City of Oakland and the County of Alameda to manage the Coliseum Complex. The Management Agreement requires that the Authority to perform the operations of the Coliseum Complex and under the Licenses. The Authority subcontracts certain operational duties to a managing agent. To fulfill its management responsibility and its public purpose, the Authority has the continuing duty (1) to supervise the managing agent; (2) to insure that all duties of the Licenses are fulfilled; (3) to investigate the efficiencies of the operations of the various sporting and other events that occur at the Coliseum Complex; (4) to promote the Coliseum Complex for use by the general public and businesses to maximize revenues; (5) to provide opportunities to community groups to utilize the facility; (6) to review the performance of food and beverage concessionaires; (7) to observe the conduct of the managing agents' employees and subcontractors; (8) to provide incentives to City and County employees that provide services to the Authority; and (9) to investigate complaints of the Warriors, the Raiders and the A's about the Complex. To the extent the Authority distributes to an Authority official tickets for any of the foregoing purposes, the use of such tickets by such Authority official shall accomplish a public purpose of the Authority.

Distribution of Tickets

The Executive Director or the Authority official designated by the Commissioners shall distribute all tickets received pursuant to the Licenses or in connection with events that the Authority or its agent controls to the Authority officials from time to time as required to accomplish the public purpose of the Authority as described in the preceding paragraph. The Authority officials may request that the Executive Director distribute tickets directly to specific persons or organizations that are not Authority officials provided that such distribution accomplishes the public purpose of the Authority as described in the preceding paragraph.

Use of tickets provided to the Authority pursuant to the Licenses or in connection with events the Authority controls

No Authority official shall transfer any ticket provided to such Authority official to any other person; provided, however, that an Authority official may transfer any ticket provided to such Authority official to any member of such official's immediate family solely for personal use.